

Practitioner's Docket No. 1118/191

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Haruhiko H. Asada, Phillip Shaltis

Application No.: 10/734.732

Group No.: 3736

Filed: December 12, 2003

Examiner: Not yet assigned

For: Vibratory Venous and Arterial Oximetry Sensor

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMPLETION OF FILING REQUIREMENTS  
—NONPROVISIONAL APPLICATION**

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 5, 2004.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

**DECLARATION OR OATH**

II. The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

---

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.10\***

[x] with sufficient postage as first class mail.

as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

07/21/2004 BABRAHA1 00000076 10734732

04 FC:2252

210.00 OP

  
Signature \_\_\_\_\_

Date: July 16, 2004

Samuel J. Petuchowski

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## **SMALL ENTITY STATUS**

**III.** An assertion that this filing is by a small entity was filed on December 12, 2003 (original).

## **COMPLETION FEES**

**IV.**

1. Filing Fee

Original patent application (37 C.F.R. § 1.16(a))	\$385.00
--	----------

2. Fee for Claims

Multiple dependent claim(s) (37 C.F.R. § 1.16(d))	\$145.00
--	----------

3. Surcharge Fees

Late payment of filing fee and/or late filing of original declaration or oath (37 C.F.R. § 1.16(e))	\$65.00
--	---------

Total Completion Fees	\$595.00
-----------------------	----------

## **EXTENSION OF TIME**

**V.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the small entity fee for which is set out in 37 C.F.R. § 1.17(a)(2), for two months.

Fee	\$210.00
-----	----------

If an additional extension of time is required, please consider this a petition therefor.

## **TOTAL FEE DUE**

**VI.** The total fee due is:

Completion fees	\$595.00
Extension fee (if any)	\$210.00
Total Fee Due	\$805.00

## **PAYMENT OF FEES**

**VII.** Attached is a check in the amount of \$805.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 19-4972.

A duplicate of this paper is attached.

## **AUTHORIZATION TO CHARGE ADDITIONAL FEES**

**VIII.** The Office is hereby authorized to charge, in the manner shown above, the following additional fees that may be required by this paper and during the entire pendency of this application.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

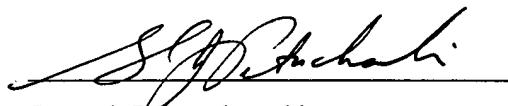
37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))

37 C.F.R. § 1.17 (application processing fees)

Date: July 16, 2004



Samuel J. Petuchowski  
Registration No. 37,910  
BROMBERG & SUNSTEIN LLP  
125 Summer Street  
Boston, MA 02110-1618  
US  
617-443-9292  
Customer No. 02101



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
Page 1 of 2

APR 07 2004

BROMBERG & SUNSTEIN

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,732	12/12/2003	Haruhiko H. Asada	1118/191

02101  
BROMBERG & SUNSTEIN LLP  
125 SUMMER STREET  
BOSTON, MA 02110-1618



CONFIRMATION NO. 9585  
FORMALITIES LETTER



\*OC000000012278667\*

Date Mailed: 04/05/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$145** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$595** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$145**

07/21/2004 BABRAHA1 00000076 10734732

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2203	145.00 OP

- \$145 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

M. W. M. af

---

#### **Customer Service Center**

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE